GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR & RD Department – Allegations of not taking timely action on the orders of High Court in five (5) WPs filed by various writ petitioners of Guntur District which lead to legal complications to the Government higher officials before the Hon'ble High Court of AP - Disciplinary proceedings initiated against Sri **Y.C. Subbarayudu, Executive Engineer**, PRI Division, Narasaropet, Guntur District under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Written statements of Defence submitted – Considered - Further action dropped - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.253 **Dated:16.03.2024**

Read the following:

1. Common orders dt: 05.10.2021 the Hon'ble High Court in WP No. 10038 /2021 filed by Sri Rayapudi Srinivasa Rao, East Godavari District & Batch of 1100 WPs.
2. Memo.No.1530821/RD-II/A1/2021, PR &RD (RD-II) Dept., dt:3.11.2024.
3. G.O.Rt.No. 395, PR & RD (Vig.II) Dept., Dt:23.04.2022.
4. From the ENC, PR, Letter. No.Vig.III(1)/1643/2022, Dated:21.10.2022 along with Written Statement of Defence of Sri Y.C. Subbarayudu, EE, PRI Division, Narasaropet, Guntur District, dt:13.10.2022.
5. The judgment dt:12.10.2023 of the Hon'ble Division Bench of High Court in Writ Appeal No. 724 of 2021 and batch.

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ORDER:

In the reference 3rd read above, Government initiated disciplinary proceedings duly framing following article of charge under Rule 20 of APCS (CC&A) Rules, 1991 against **Sri Y.C. Subbarayudu, Executive Engineer**, PRI Division, Narasaropet, Guntur District, for not taking timely action on the orders of High Court in five (5) WPs filed by various writ petitioners of Guntur District which lead to huge embarrassment and legal complications to the Government before the Hon'ble High Court of AP, with a direction to submit his written statement of defence:

Charge :

That Sri Y.C. Subbarayudu, EE, PRI, Narasaraopet, Guntur District has not taken any action to implement the orders of Hon'ble High Court of AP dated 05.10.2021 & 02.12.2021 in W.P.Nos.19005, 20435, 15023, 14371, 23677 & 28115/2021 filed by Sri Mundru Subba Rao R/o Nuzendla Mandal, Guntur District and other writ petitioners of Guntur District, and failed to take pursuant action thereon, not acted properly for fling Review/Appeal petition before the Hon'ble High Court of AP., on the common orders issued by the Hon'ble High Court of AP dated 05.10.2021 in batch cases of W.P.No. 10038/2021 and orders dated 02.12.2021 in batch cases of W.P.No.26794/2021, and shown deliberate negligence for uploading

(P.T.O)

bills, failed to discharging duties properly, failed to pursue the matter with the concerned to resolve the problem arising therein, resulting severe legal complications arising in issuing Form-I notice in C.C.Nos.618, 997, 278, 304, 1054 & 1016 of 2022 in W.P.Nos.19005, 20435, 15023, 14371, 23677 & 28115/2021 to the respondents by the Hon'ble High Court of AP. Hence, the charge.

2. In the reference 4th read above, the Engineer-in-Chief, Panchayat Raj has furnished the written statement of defense of the charged officer Sri Y.C. Subbarayudu, Executive Engineer, PRI, Narasaraopet, Guntur District and requested the Government to consider his case sympathetically and drop further action against him.

3. In his written statement of defense, the Charged Officer has stated that he is discharging duties as Executive Engineer, PRI Division, Narasaraopet w.e.f.12.11.2021. The works in the above W.Ps were executed under MGNREGS during the Financial Year 2018-19 and 2019-20 and FTOs were generated and uploaded by the then E.E., Sri M. Era Swamy during the years 2018 and 2019. The role of EE seizes once the FTO is uploaded. The payments are to be paid at Govt. level. As per the instructions issued vide Govt.Memo.No.1202/Vig.I/2020-4 dt:05.05.2020 & 13.5.2020, the material component works executed under MGNREGS (during the period 1st October 2018 to 31st May 2019) were verified by the Vigilance & QC Inspection Teams and were found rejected towards deficiency in quality. The O/o. CRD, has given QC reports in work wise details on 21.04.2022 to his office. As per the instructions issued vide Mail received on 07.03.2022 from CE, PR-II, the Court cases were prepared category wise (A1, A2, B2, C1 & C2) and signed copies submitted to the CPR & RD on 14.03.2022 for release/clearing of payments to the petitioners/Executing Agencies. He has filed review petitions before Hon'ble High Court of A.P., enlightening the above mentioned facts after receipt of Contempt of Court in the said five (5) writ petitions. With regard to WP No.28115/2021, he has stated that the same is not belong to PRI Division, Narasaraopet and pertains to PRI Division, Guntur. The Charged Officer has requested the Government to drop /exonerate the charges framed against him in the matter.

4. In the reference 5th read above, the Hon'ble Division Bench of High Court in common judgment in WA No. 724 of 2021 and Batch, have modified the earlier judgments of High court and directed for further inquiry etc., wherein, among others, the above five (5) WPs are covered including WP No.28115/2021 pertaining to PRI Division, Guntur also covered therein.

5. Government, after careful examination of the matter and duly keeping in view of the common judgment of the Hon'ble Division Bench of High Court in WA No. 724 of 2021 and Batch, have considered the written statement of defence of the charged officer Sri Y.C. Subbarayudu, Executive Engineer, PRI, Narasaraopet, Guntur District, as found satisfactory.

6. Accordingly, the Government, after careful examination of the matter, hereby drop further action against Sri Y.C. Subbarayudu, Executive Engineer, PRI, Narasaraopet, Guntur District, in the matter.

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7. The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada.
Sri Y.C. Subbarayudu, Executive Engineer, PRI, Narasaraopet, Guntur District **(through** the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada)

Copy to:
The PR&RD (Estt. I) Department.
OSD to the Hon'ble Dy.C.M for PR&RD Department.
PS to Principal Secretary to Govt, PR&RD. Department.
SF/SC.

//FORWARDED:: BY :: ORDER//

SECTION OFFICER